

In the United States District Court
For the District of Delaware

Page #1

Vernette Waller (Pro-Se)
Plaintiff

November 10, 2007

News Journal, and Amal Inc. et al
Defendants

#06-138-MPT

ORIGINAL

FILED
CLERK, U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2007 NOV 14 PM 3:24

Accrued vacation check
16 1/2 years full time

I received a check and letter from the Defendants. In their October 25, 2007 "Motion for Summary judgement," it stated I was paid for accrued vacation. (See attached #1 & 2). The check is dated September 14, 2007, for vacation 2007, (23 hours). The letter is dated October 23, 2007. Due to wrong calculations (time accrued and amount of check), I have not been paid. I have not cashed the check due to discrepancy. The Defendants allege, they were not aware of any accrued vacation until this lawsuit is a clear statement of deception. I mentioned my vacation in 2004. Also, it is the responsibility of the Company administrators to research any benefits due to me at the time of termination. ~~It~~ It took 3 years to learn I was due accrued vacation pay, then submit incorrect payment shows a lack of creditability. I also, noticed in the affidavit from Delores Pinto, several pages from the handbook was included, however no copy of the vacation policy.

page #2

06-138-MPT

My vacation was always calculated in weeks based on the years of service. I included a copy of The News Journal Vacation Policy for your review (See attached #3). I also included previous years of how my vacation was calculated. (See attached #4). I conclude the use of the admission of the defendants check and letter, I was due 6 weeks + 3 day vacation in 2004, which I was denied to use. A prompt response as to what I should do with the check received is sincerely appreciated.

Thank you

Vernette Walker
Vernette Walker

Exhibit #1

RICHARDS, LAYTON & FINGER

A PROFESSIONAL ASSOCIATION

ONE RODNEY SQUARE

920 NORTH KING STREET

WILMINGTON, DELAWARE 19801

(302) 651-7700

FAX (302) 651-7701

WWW.RLF.COM

JENNIFER C. JAUFFRET
DIRECTOR

DIRECT DIAL NUMBER
302-651-7568
JAUFFRET@RLF.COM

October 23, 2007

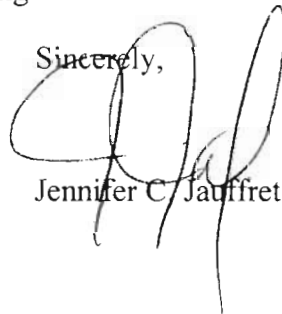
Ms. Vernetta Walker
29 Richard Road
New Castle, DE 19720

Re: Walker v. The News Journal and Ann Hines

Dear Ms. Walker:

During the course of this lawsuit, it has come to The News Journal's attention that you should have received in your final paycheck payment for accrued unused vacation time. It is my understanding that you are owed approximately 23 hours of accrued vacation time and based on your pay rate, that amounts to a net amount of \$334.21. Accordingly, enclosed please find check no. 34153 in the amount of \$334.21. The company issued the check in September and I apologize for not sending it sooner. If you have any questions or concerns, please do not hesitate to call me. This amount was sent in good faith in recognition of an amount owed to you but should not be in any way construed as an admission of liability as to any aspect of the discrimination and retaliation suit currently pending.

Sincerely,



Jennifer C. Jauffret

JCB/kdm
Enclosure

Exhibit #2

Period End	Name: Vernetta Walker			Employee I.D.	Check Number		384153
09/14/07	Earnings	Taxes		Deductions		Net	
Current	401.25	67.04				334.21	
Yr. To Date	0.00	0.00				0.00	
Earnings Type	Hrs./Units	Amount	Yr. To Date	Taxes & Deduct.	Current	Yr. To Date	
Vacation 2007		401.25					
Tax Information				Notes			
Federal Taxable Wages				Pay Rate			
Current	401.25		0.00				
Yr. To Date	0.00						
Withholding Info	Status	Exempts	Add'l Amt/%				
Federal							
State							

DETACH AND RETAIN FOR YOUR RECORDS

The News Journal

A GANNETT NEWSPAPER
WILMINGTON, DELAWARE

PNC BANK, N.A.
Philadelphia, PA

CHECK NUMBER

384153

3-5
310

Check Date

09/14/07

Check Amount

*****334.21

PAY **Three Hundred Thirty-Four and 21/100 Dollars**

TO THE ORDER OF:

011052

Vernetta Walker

PAYROLL ACCOUNT

David F. Culp
Agent

Kevin D. [Signature]
Agent



⑈0000384153⑈ ⑆031000053⑆ 8606095135⑈



Exhibit #3

VACATION SCHEDULING

Classified Advertising Department

Vacation requests must be completed and returned by March 15, 1993. Weeks being requested should be in priority order (vacation policy in The News Journal handbook is shown as follows:

VACATIONS

Vacation eligibility is determined as follows:

A new employee hired before January 1 of the current year is eligible for two weeks vacation; a new employee hired before April 1 of the current year is eligible for one week of vacation. Vacations may be taken after five months of employment.

All other vacation eligibility is based on the years of service completed by January 1 of the current year. Three years service earns three weeks of vacation; 10 years service earns four weeks; 25 years service earns five weeks.

Vacations cannot be carried over into the next calendar year without prior approval of your supervisor and your department head.

You may break your vacation into periods of less than a week if you have the approval of your supervisor and your department head.

Vacation scheduling is based on three factors: your stated time preference, the operational needs of your department, and your length of service in the department.

Although length of service is important, your first choice of dates is given greatest precedence for your first and second weeks of vacation. Your preference for scheduling additional weeks becomes secondary to the vacation requests of newer employees who are eligible for less vacation time.

Approval from your department head and the Publisher is required for scheduling more than two consecutive weeks of vacation.

If a paid holiday falls during a period of which you are on vacation, you are entitled to an additional vacation day.

After all vacations have been approved or rescheduled, the original vacation form will be initialed and dated by the employee and manager.

Any changes after the original request will be made to Mary Glynn in writing. If change is possible, the new dates will again be initialed and dated by employee and manager.

Every effort will be made to accommodate vacation requests.

Exhibit #4

1997 VACATION REQUEST

NAME:

Verette Walker

DEPARTMENT:

Classified Advertising15 DAYS OF VACATION WILL BE GRANTED TO THE ABOVE NAMED EMPLOYEE BASED ON THE CURRENT NEWS JOURNAL VACATION POLICY:

Hired after 1/1/97 - one day for every 25 days worked*

Hired before 1/1/97 - one day for every 25 days worked - maximum of 2 weeks*

Three or more years of service on 1/1/97.....3 weeks

Ten or more years of service on 1/1/97.....4 weeks

Twenty-five or more years of service on 1/1/97.....5 weeks

* Eligible after 90-day introductory period

ALL VACATION IS TO BE TAKEN WITHIN THE CALENDAR YEAR

Please indicate specific dates that you are requesting as your first and second choice.

	1st Week	2nd Week	3rd Week	4th Week	5th Week
First Choice (Month & Day)	<u>10/06-12</u>	<u>5/13, 23, 27, 28, 31</u>	<u>9/4, 9, 13, 15, 16, 28</u>		
Second Choice (Month & Day)					

Please indicate the dates you wish to take as your Seventh, Eighth and Ninth Holidays:

Seventh:

2/17/98

Eighth:

2/19

Ninth:

7/24

worked

Employee Signature

Date

forms:vacrequ

exhibit #4

1998 VACATION REQUESTNAME: Walker, VernettaDEPARTMENT: Classified Advertising19 DAYS OF VACATION WILL BE GRANTED TO THE ABOVE NAMED EMPLOYEE BASED ON THE CURRENT NEWS JOURNAL VACATION POLICY:

Hired after 1/1/98 - one day for every 25 days worked*

Hired before 1/1/98 - one day for every 25 days worked - maximum of 2 weeks*

Three or more years of service on 1/1/98.....3 weeks

Ten or more years of service on 1/1/98.....4 weeks

Twenty-five or more years of service on 1/1/98.....5 weeks

* Eligible after 90-day introductory period

ALL VACATION IS TO BE TAKEN WITHIN THE CALENDAR YEAR

Please indicate specific dates that you are requesting as your first and second choice.

	1st Week	2nd Week	3rd Week	4th Week	5th Week
First Choice (Month & Day)	12/28-1/4	1/11, 22, 26, 27/6	1/4, 8, 11, 16, 27		
Second Choice (Month & Day)	12/28-1/4	4/8 today	1/30		

Please indicate the dates you wish to take as your Seventh, Eighth and Ninth Holidays:

Seventh: 2 days 12/18 Eighth: 6/8 Ninth: _____

Dulcher
Employee Signature

3/9/98
Date

(45) days to schedule
as 8 3/27/98

Exhibit #4

2000 VACATION REQUEST

NAME: VERNETTE WALKERDEPARTMENT: CLASSIFIED**20**DAYS OF VACATION WILL BE GRANTED TO THE ABOVE NAMED
EMPLOYEE BASED ON THE CURRENT NEWS JOURNAL VACATION POLICY:

Hired after 1/1/00 - one day for every 25 days worked*

Hired before 1/1/00 - one day for every 25 days worked - maximum of 2 weeks*

Three or more years of service on 1/1/003 weeks

Ten or more years of service on 1/1/00.....4 weeks

Twenty-five or more years of service on 1/1/00.....5 weeks

* Eligible after 90-day introductory period

ALL VACATION IS TO BE TAKEN WITHIN THE CALENDAR YEAR

Please indicate specific dates that your are requesting as your first and second choice.

	<u>1st Week</u>	<u>2nd Week</u>	<u>3rd Week</u>	<u>4th Week</u>	<u>5th Week</u>
First Choice (Month & Day)	12/26 - 1/2	7/14, 21, 28, 30, 6/9	7/5, 6, 18, 1/24		
Second Choice (Month & Day)		1/2			

+ 3

Please indicate the dates you wish to take as your Seventh, Eighth and Ninth Holidays:

Seventh: 4/18/01 Eighth: 7/3 Ninth: 7/5
 25 1/2 day

Duck
 Employee Signature

 Date

forms:vacrequ

4/21 = 1/2
 4/24 = full
 4/25 = sick

Walker, Vernetta

From: Salvia, Sherry
Sent: Thursday, October 23, 2003 1:50 PM
To: Walker, Vernetta
Subject: Vacation Days for 2003
Importance: High

Exhibit #4

Hi!

Here is what I show you have taken so far this year, and what you have scheduled for the remainder of the year. You still have 1.5 days left to schedule. Let me know if anything here is wrong ok. You are entitled to 20 vacation days + 3 personal days.

Already Used:

Feb 3
Apr 21
May 27
June 9 (1/2 day)
June 23
Aug 4
Aug 15
Sept 15-16-17
Sept 26

21 1/2
1 1/2

Upcoming Scheduled:

Oct 27-28-29-30-31
Nov 28
Dec 19
Dec 22-23-24-26

Sherry Salvia
Administrative Assistant to VP of Finance
The News Journal
950 W. Basin Road
New Castle, DE 19720
302-324-2675

THE REYBOLD GROUP

18 Shea Way, S.
Delaware Industrial
Newark, Delaware

(302) 366-1400
(302) 366-1540-FAX

May 9, 1996

Supervisor
Classified Ad Department
The News Journal
P. O. Box 15505
Wilmington DE 19850

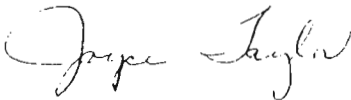
RE: Vernetta Walker

Dear Sir or Madam:

With the recent expansion of our business, we have increased and varied our advertising a great deal in the past months. And, as usual, Vernetta has met the challenge. She has been our account representative for a number of years and has consistently done an outstanding job of handling our advertising -- always pleasant, efficient and accommodating.

Vernetta is a tremendous asset to your company, and we wanted to formally acknowledge to you and to her how much we appreciate the good job she is doing for Reybold.

Sincerely,



Joyce Taylor
Administrative Assistant

cc: Vernetta Walker ✓

TO: Bob Cochran
FROM: Bette Ann Dobek
DATE: November 11, 1996

I thought you would be interested in the following "Customer Service" issue:

On November 7, 1996 Vernetta Walker noticed under the Police Reports a write up including one of her customers, Raymond J. Pietschmann. Due to the sustained injuries reported, Vernetta gave the customer a public relations call. She inquired about his injuries and concern as to whether or not he would like his advertising interrupted until his recovery.

Mr. Pietschmann was very appreciative that his sales rep would be concerned enough to call him let alone realize this accident involved her customer. He advised Vernetta to leave his advertising in the paper and he would some how handle the calls.

Bob, this is not the first time Vernetta has made such customer service calls!

cc: S. Martin
B. Janus
V. Walker

New Castle County
MOTORCYCLIST HURT: A 30-year-old motorcyclist was hurt Tuesday after losing control on Old Capitol Trail and slamming into a guardrail. New Castle County police said Raymond J. Pietschmann, of the first block of Carsdate Court, Arundel, was riding west near Farrand Drive about 8:25 p.m. when the bike ran off the right side of the road. Pietschmann was taken to Christiana Hospital near Stanton for face, head and leg injuries. He was discharged Wednesday. Police are not sure why Pietschmann lost control, and are investigating the possibility another vehicle ran him off the road.

06-138-MPT

Notice of Service

I certify on November 14, 2007, I hand
delivered copy of accrued vacation check
& letter from Defendants to Clerk of
Court and Defendants:

Attorney: Jennifer Jauflert
One Rodney Square
Wilmington, DE 19801

Vernette Walker
Nov. 14, 2007